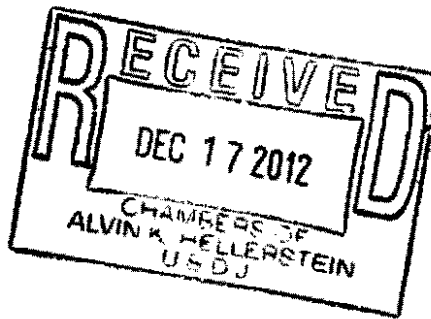


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December 17, 2012

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VIA ELECTRONIC MAIL

Hon. Alvin K. Hellerstein, U.S.D.J.
United States District Court for the
Southern District of New York
500 Pearl Street, Rm. 1050
New York, NY 10007

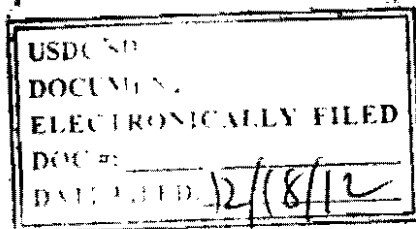
*These def'ts shall be dismissed
upon the filing, by pls., of an
order identifying the def'ts who
are dismissed and those who remain,
and stating the basis accordingly.
12.17.12*

Re: *In Re World Trade Center Lower Manhattan Disaster Site Litigation*, 21MC102 (AKH)
Eugeniusz Jastrzebowski (06cv05289)
Marian Retelski (10cv06868)
Noel Velez (10cv06869)

Dear Judge Hellerstein:

On November 28, 2012, counsel for Plaintiffs Eugeniusz Jastrzebowski, Marian Retelski, and Noel Velez and counsel for Defendants the City of New York, Board of Education of the City of New York, the Department of Business Services, the Department of Education of the City of New York, and the New York City School Construction Authority (collectively, the "City Defendants") filed the enclosed joint Motion to Dismiss the City Defendants only from the these three actions. Any opposition was due by December 14, 2012. This deadline has now passed and the motion remains unopposed. The parties therefore respectfully request the Court to grant this Motion and dismiss only the City Defendants from these actions.

Should the Court have any questions, please contact me.



Enclosure

Respectfully submitted,

Alyson N. Villano

Judge wrote:

“These defendants shall be dismissed upon the filing, by plaintiffs, of an order identifying the defendants who are dismissed and those who remain, and re-stating the caption accordingly.

12-17-12

Alvin K. Hellerstein”